

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Robert L. Schmelzle, as Trustee for the
Next of kin of Kelly Sue Schmelzle,

Plaintiff,

Civil No. 06-4846 (RHK/JSM)

vs.

**DISQUALIFICATION AND
ORDER FOR REASSIGNMENT**

Alza Corporation, Janssen Pharmaceutica
Products, LP, a/k/a Janssen Pharmaceutica,
Inc.,

Defendants.

The above-entitled matter has been assigned to the undersigned, a Judge of the above Court. Pursuant to Title 28, United States Code § 455, the undersigned recuses himself from hearing this matter. Accordingly,

IT IS HEREBY ORDERED, that pursuant to this Court's Assignment of Cases Order dated June 29, 2006, the above-captioned action shall be resubmitted to the Clerk of Court for reassignment.

IT IS FURTHER ORDERED, that a copy of this Order shall be filed in the above-captioned case.

Dated: December 12, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge